

H E L A. (1954) Department.

M	<u>Endorsement</u>
	<u>D.O.</u>
	<u>Memorandum</u>
	<u>Lodged</u>
No. 25251 H 5/53-8	
Dated	18-5-1954 ~~195~~

closed.
 -20
 Superintendent

FURTHER PAPERS.

Department.	Number.	Series.	Date.
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town planning - Mangalore Municipality - cost ward
 T.P. Scheme - Extension of time for preparation

R.
Dis.6969/1952.

Municipal Office, Manfalore,
Dated 24th March, 1953.

From

Sri. M. Govinda Menon, B.A., B.L.,
Commissioner, Mangalore Municipality,
Mangalore.

To

The Secretary to Government,
Public Health Department,
Fort St. George, Madras.

Through: The Director of Town Planning, 1 Line beach, Madras.1.
The Chairmen, Municipal Council, Mangalore.

Sir,

Town Planning-Mangalore Municipality.-Court Ward T.P.
Scheme-Preparation, Publication and Submission to Government
Extension of time requested

Ref: G.O.Rt.No.315 Health dated 7-6-52. V/3

In G.O.Rt.No.315 Health dated 7-6-52 the Government were pleased to grant extension of time till 31-3-1953 for the preparation, publication and submission of Court Ward Town Planning Scheme to Government. An up-to-date map No.2. of the Scheme area has been submitted to Director of Town Planning, Madras and it is under scrutiny of their Department. Further action regarding the preparation and publication of scheme will be pursued soon after the receipt of a suitable layout and draft-scheme from the Director of Town Planning, Madras. The ownership schedule relating to this scheme is also under consideration. In order to facilitate ready registration I request that the Government may be pleased to notify the boundaries in the notification (Under section-12 of the T.P.Act) granting extension of time. The aforesaid boundaries and the Survey Numbers of plots comprised in the scheme area have been noted in the annexure. A copy of Municipal Council resolution No.48 dated 10-1-1953 is also submitted herewith. It is likely that the scheme may be finalised within 4 year from 31-3-1953. I request that the Government may be pleased to sanction the extension of time till 31-3-1954 at an early date.

FORWARDED

Chairman, Municipal Council.

M. Govinda Menon
Commissioner, Mangalore Municipality

Encls: 1. C.R.48 dated 10-1-1953.

2. Annexure containing Boundaries and S.Nos. In the Scheme.

EXTRACT FROM THE PROCEEDINGS OF THE MANGALORE MUNICIPAL COUNCIL
Dated 10-1-1953.

Read: C4.6965/52. Commissioner's note suggesting that the Government may be applied for the extension of time till 31-3-1954 in respect of the preparation, publication and submission of Court Ward T.P.Scheme.
COUNCIL RESOLUTION;48.

Extension of time may be applied for.

(True copy)

M. Govinda Menon
COMMISSIONER
MANGALORE MUNICIPALITY.

Sd. K.S.N.ADIGA,
Chairman.

COURT WARD TOWN PLANNING SCHEME

BOUNDARIES:

NORTH: A line from the junction of Shedigudda along the northern boundary of Kadri Road upto its junction with Candle Garden Road.

East: A line starting from the junction of Kadri Road along the eastern boundary of Candle garden Road upto its junction with Balmatta Trunk Road, a line along the Eastern boundary of T.S. Nos.99, 100, 101, 103, 112 and then along the eastern boundary of Balmatta Cross Road, then again along the eastern and southern boundaries of T.S.No.118, southern boundary of T.S.61, southern boundary of T.S.56, eastern boundary of 54, 52 upto its junction with Falnir Road in survey Ward No.5, a line starting from the north western corner of T.S.No.12 along the northern and eastern boundaries of T.S.No.12, southern boundary of T.S.No.12 eastern boundary of T.S.No.13, 6, 28, 32, 44 of Survey ward No.6.

SOUTH: Eastern and southern boundary of T.S.No.43, Western boundary of Nandigudda Road, from the junction of Bhuthastana upto the north western corner of T.S.56 of survey ward No.6.

WEST: Southern, ~~W~~ Eastern and Northern boundaries of T.S.64, western boundary of T.S.No.62, 272 north western boundary of T.S.21 of survey ward No.6. A line starting from the Falnir Road from the north west corner of T.S.21 of 6th Survey Ward and then along the Southern, Western and Northern boundaries of T.S.34, northern boundary of T.S.35/B, 35/A, western boundary of 35/A, 28, 23, 21/B, 21/A&B, southern and western boundaries of T.S. No.11, Western Boundary of T.S.12/1, 13/2A, 14/1, 15/1, 16/1, 17/1, 18/2A, 188 and then along the southern boundary of T.S.197 and along the western boundary of Thompson Road upto its junction with Shedigudda.

Combined A

M. Sundararamin
Commissioner M.M.

Court Ward T & Scheme

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-1-

THE FOLLOWING SURVEY NUMBERS ARE COMPRISED IN THE AREA
DESCRIBED ABOVE.

T.S.No.	R.S.No.	Acre	S.ft.	T.S.No.	R.S.No.	Acre	S.ft.
WARD NO 14 CASPA HAZAR VILLAGE.				WARD NO 14 ATTAVAR VILLAGE.			
10/1	408/1		41284	21/A2	400/A2		3320
10/2	408/2		98	21/AB	400/B		218
11	407		8712	21/B	153		9583
12/1	406/1		1307	22/1	152/1		3415
12/2A	406/2A		16296	22/2	152/2		8424
12/2B	406/2B		1742	22/3	152/3		4060
13/1	405/1		4792	23	151		30492
13/2A	405/2		1425	24/1	150/1		436
13/2B	405/2		9029	24/2	150/2	2	3920
14/1	404/1		1870	25/1	147/A 1		30359
14/2	404/2		10454	25/2	147/B		133
15/1A	403/1A		1068	26	146	2	31368
15/1B	403/1B		6957	27	145		21780
15/2	403/2		311	28	144		10454
~~16/1~~				29	143		15682
16/1	402/1		754	30	142		13939
16/2	402/2		8394	31	141		1742
17/1	401/1		502	32/A1A	140/A1A		11330
17/2	401/2		8596	32/A1B	140/A1B		151
18/1	399/1	1	33106	32/A2	140/A2		63
18/2A	399/2A		3049	32/B	140/B		218
18/2B	399/2B	1	4792	33/A1A	139/A1A		1435
21/AA1	400/A1A		1742	33/A1B	139/A1B		2674
21/AA2	400/A1B	5	26355	33/A2	139/A2		247
WARD NO 14 ATTAVAR VILLAGE.				33/B1	139/B1		5238
19/A	148/A	1	30928	33/B2	139/B2		260
19/B	148/B		3049	34/1	138/1		11684
20/1	149/1		3915	34/2	138/2		1800
20/2	149/2		30497				

T.S.No.	R.S.No.	Acre	Sft.	X.T.S.No.	R.S.No.	Acre	S.ft
WARD NO 14 ATTAVAI VILLAGE.				WARD NO 14 ATTAVAI VILLAGE.			
34/3	138/3		20	52	120		17860
35/A	137/A	3	24029	53	119	1	7623
35/B	137/B		15246	54	118		29185
36	136		6098	55	117		17206
37	135		6098	56	116		11326
38	134		6270	57	115		11239
39	133		41818	58	114		12197
40	132		20909	59	113		3485
41/A	131/A		22216	60/1A	112/1A		2614
41/B	131/B		12197	60/1B	112/1B		508
41/C	131/C		3049	60/2	112/2		5227
41/D	131/D		6970	61	111		6534
41/E	131/E		9148	62	110		3899
41/F1	131/F1		4574	63/1	109/1		~~222~~ 396
41/F2	131/F2		4138	63/2	109/2		64
41/G	131/G		7406	63/3	109/3		2093
41/H	131/H		1276	63/4	109/4		2544
42	130		15322	64A/1	108A/1		13939
43	129		3712	64A/2	108A/2		109
44	128		10890	64B/1	108B/1		6032
45	127	1	22651	64B/2	108B/2		2219
46/1	126/1		2010	64B/3	108B/3		1742
46/2	126/2		327	64B/4	108B/4		1078
46/3	126/3		327	64B/5	108B/5		690
46/4	126/4		2128	64/C	108/C		526
47	125		20473	65	107		2178
48/A	124/A		2287	66	106		4792
48/B	124/B		763	67/1	105/1		3703
49/A	123/A	1	7830	67/2	105/2		3702
49/B	123/B		40946	68	104		4192
	122		17424	69	103		7405
	121		1307	70	102		2614

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T.S.No.	P.S.No.	Acre	Sft.	T.S.No.	P.S.No.	acre	Sft.
WARD NO 14 ATTAVAI VILLAGE				WARD NO-14 Attavar Village.			
71	101		1742	92/1	75/1		305
72	100		6970	92/2	75/2		176
73	99		6970	92/3	75/3		184
74	98		11761	92/A	74/A		2485
75	97		33977	93/B	74/B	1	14375
76/1	96/1		2468	94/A1	73/A1		871
76/2	96/2		1288	94/A2A	73/A2A		23356
77	95	1	436	94/A2B	73/A2B		1038
78	94		24394	94/A3	73/A3		17860
79	93		22216	94/A4	73/A4		10018
80	92	1	14810	94/A5	73/A5		3920
81/1	91		40078	94/E	73/E		2614
81/2	91		3485	95/A	72/A		21782
81/3	91		5663	95/B	72/B		20
81/4	91		34412	95/C	72/C		5
81/5	91		22651	96	71		38333
82/1	90		~~5665~~ 5149	97	70		38768
82/2	90		5665	98/2	69/2		218
83/1A	84/1		11761	98/1	69/1	1	7187
83/1B	84/1		15602	99	68		39204
83/2	84/2		1307	100	67		10019
84	83		6970	101	66		348
85/1	82/1		16117	102/1	65/1		257
85/2	82/2		10019	102/2A	65/2A		80
85/3	82/3		10454	102/2F	65/2F		176
86	81		20909	103	64		322
87/1	80/1		69	104	63		304
87/2	80/2		43165	105/1	62/1		124
87/3	80/3		772	105/2	62/2		29
88/1	79/1		11747	106/1	61/1		23
88/2	79/2		450	106/2	61/2		763
89	78		14375	106/3	61/3		4247
90	77		11217	107A/1	60A/1		326
91	76		22651	107A/2	60A/2		10

T.S.No.	P.S.No.	Acre	S.Ft.	T.S.No.	R.S.No.	Acre	Sft.
<u>WARD NO 14 ATTAVAR VILLAGE.</u>				<u>WARD NO 14 KOLIYALPAIL VILLAGE</u>			
107/B	60E		1053	171/A	284/A		31363
108	59		6534	171/F1	284/B1		654
109	50		7841	171/EE	284/12		653
110	57		9143	172/A	289/A		16117
111/1	56/1		20038	172/B	289/D		871
111/2	56/2		29620	173/1	290/1		37462
112/1	155/1		21245	173/2	290/2	1	16552
112/2	155/2		10454	174/1A	291/1	1	5529
<u>WARD NO 16 ATTAVAR VILLAGE.</u>				174/1B	291/1		64
113	54		7405	174/2	291/2		26126
<u>WARD NO 14 ATTAVAR VILLAGE.</u>				175/1	292		5663
117	50		29621	175/2	292		2613
118	49		20908	176/1A1	293/1A	3	7841
119	48		23423	176/1A2	293/1A		1742
<u>WARD NO 16 ATTAVAR VILLAGE.</u>				176/1F	293/1F		9148
120/1	47/1		9583	176/2	293/2		4356
120/2	47/2		1126	<u>WARD NO 14 ATTAVAR VILLAGE.</u>			
<i>ward no. 14 Kadiyalpail village</i>				177	89		22216
167/AA	286/AA		19166	178	88		6970
<u>WARD NO 14 ATTAVAR VILLAGE.</u>				179	87		8276
167/AB	286A/B		3320	180/1	86/1	1	27007
167/B	85		28314	180/2	86/2		26572
<u>WARD NO 14 KOLIYALPAIL VILLAGE</u>				<u>WARD NO 14 KOLIYALPAIL VILLAGE.</u>			
168	287	1	17424	181/1	294	4	28314
169	288		27443	181/2	294	2	13504
170/A1	285/A1		9461	182/1	295/1	3	38768
170/2A	285/A2A		18632	182/2	295/2		32670
170/A2B	285/A2B		21467	183	296		12197
170/11A	285/F1A		9112	184	184		9148
170/11B	285/B1F		8748	185	298	2	2397
170/P2	285/P2		28314	185	299	1	3080
170/C	285/C		8712				

T.S.No.	R.S.No.	Acre	Sft.	T.S.No.	R.S.No.	Acre	Sft.
<u>KASBABAZAR</u>				<u>WAPD NO 14 KODIATPAIL VILLAGE.</u>			
<u>WARI NO 14 KODIATPAIL VILLAGE.</u>				<u>WAPD NO 14 KODIATPAIL VILLAGE.</u>			
187/1A	398/1A	1	13779	203	312		17860
187/1B	398/1B		4167	204/A1	313/A1		20676
187/1C	398/1C		10884	204/A2	313/A2		131
187/2A	398/2A		2026	204/B	313/B		102
187/2B	398/2B	1	27447	205/1A	314/1A	4	40918
187/3	398/3	1	26131	205/1B	314/1B		6010
187/4	398/4		39652	205/2	314/2		3485
188/1	397/1		32670	205/3A	314/3A		2709
188/2	397/2	1	11761	205/3B	314/3B		340
188/3	397/3		17860	205/4	314/4		600
188/4A	397/4A		16117	205/5	314/5		22
188/4B	397/4B		6534	205/6	314/6		1307
189	396		3049	205/7	314/7		1525
<u>WARI NO 14 KODIATPAIL VILLAGE</u>				205/8	314/8		588
190	300	1	20909	205/9	314/9		1274
191	301		40075	205/10	314/10		11761
192	302		12632	205/11	314/11		16117
193	303		10454	205/12	314/12		32670
194/A	304/A		40846	205/13	314/13		1276
194/B	304/B		27007	205/14	314/14		30928
195/1	395/1		2974	205/15	314/15		180
195/2	395/2		75	205/16	314/16		14810
196	305		27007	205/17	314/17		12632
197	306		16117	206	315		10019
198/A1	307/A1		4173	207	316		27878
198/A2	307/A2		1925	208	214		21344
198/B	307/B		11326	209	215		28314
199	308	1	23087	210	269		23522
200/1A	309/1A	1	17217	211	270		27007
200/1B	309/1B		252	212/A	271/A		16088
200/1C	309/1C		1224	212/B	271/B		1742
200/2	309/2		1245	213	272		23958
201	310		13068	214	276		38333
202/1	311/1		15682	215/A	273/1		12637

 R.S.No. Acre Cft. T.S.No. R.S.No. Acre S.Ft.

WARD NO 14 KODIYAPAIL VILLAGE.WARD NO 18 ATTAVAR VILLAGE.

215/C	273/C		2614	13	171	1	4792
216	274		6098	14	172	1	13504
217	268		5227	15/A	173/A	1	13504
218	275		9583	15/B	173/B		9583
219	267		20473	15/C	173/C		20038
220/1	266/1		28750	15/D	173/D		24829
220/2	266/2		4356	15/E	173/E		14810
221	216		32234	16	174		22651
222	265		35719	17	175		6098
223	277		14810	18	176		19166
224	278		26572	19	177		35719
225	279		6534	20	158		15246
226/1	280/1		663	21/1	178/1		7405
226/2	280/2		34621	21/2	178/2	3	29185
227/1	264/1	1	3473	22/1	179/1		9583
227/2	264/2	1	447	22/2	179/2		10454
227/3	264/3		10454	23	180		22216
227/4	264/4		8712	24	181		7841
227/5	264/5		15246	25/1	182/1		23958
228/1	263/1		13721	25/2	182/2		38224
228/2	263/2		218	26/A	183/A		6098
229	281		2173	26/B	183/B		871
230	282		21780	27	184	1	11761
231/A	283/A		26572	28	185	1	5227
231/B	283/B		436	32	189	1	23087
232	262		20038	33	190		14810
756			10901	34	191		18295
757	77		6679	35	192		5227
758			4556	36/A1	193/A1		30667
<u>ATT WARD NO 18 ATTAVAR VILLAGE.</u>				36/A2	193/A2		3310
6	165		9583	37	194		4792
11	159		22651	38/A	195/A		5010
12	170	1	8276	42/B	199/B		456

T.S.No. . R.S.No. Acre Sft.

WARD NO 18 ATTAVAR VILLAGE

43	200		3920
44/A	201/A	1	20038
51/B	208B		871
57/B	214B		2178
58/A	215/A		11326
59/1	216/1		16803
59/2	216/2		403
60	217		12197
61	218		3049
62	219	1	16988
272/1	397/1		16553
272/2	397/2		4356
28			39531


COMMISSIONER
MANGALORE MUNICIPALITY

Municipal Office, Mangalore
Dated the 26-3-1958

Confirmed,
V.S.
24/3/58

12/19

Office of the Director of Town Planning,
Old High Court Buildings, 1st Line Beach,
Madras.1. Dated:- 2--5--1953

Endt. No.3557/A-1/53

Forwarded to Government.

A further extension of time till 31-3-54 may be granted for the preparation, publication and submission of the Court Ward Town Planning Scheme to Government by the Mangalore Municipal Council. While issuing orders regarding extension of time, the Government may be pleased to notify the boundaries and survey numbers of plots comprised in the scheme area as per the annexure enclosed in the Commissioner's letter so as to facilitate him to get the scheme registered.

for
8-15
and
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The scheme was notified by Government under section 12 of the Town Planning Act on 7th March 1944 in the Fort St. George Gazette and extension of time had been granted upto 31-3-53 in G.C. No.315 Health dated 7--6--1952.

① 19

① 3

Commissary
S. S. R.

BT.4/5

FOR DIRECTOR OF TOWN PLANNING.

To
The Secretary to Government,
Health Department,
Fort St. George,
MADRAS.

for
4.6.53

64/26/53

Sub: Town Planning - Mangalore Mty.
Court ward T.P. Scheme - Extension
of time for preparation etc.

From the Commr, Mangalore Mty. n. no.

6969/52 dt 24-3-53

From the D. T. P., n. no. 3557-A-53 dt
2-5-53

Memo 25251-T/53 dt 25/5/53

The Commr, Mangalore
Municipality is requested to
state —

(1) whether the notification
issued under section 12 of the M.T.P.
Act in respect of the Court Ward
T.P. Scheme has not yet been registered

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25/5/53
27/6/53

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registered as required by rule 50-A of the Madras Town Planning Rules;

(ii) what exactly is the intention in requesting for publication of the boundaries and survey numbers of the plots comprised in the scheme while granting extension of time; and

(iii) whether the boundaries and survey numbers furnished by the Commissioner with his letter cited are the same as those specified in the notification issued in G.O. no. 568 P.H. dated 1-3-44, and if not, the reasons for the discrepancy.

WR
22.5.53

WR
25/5/53

~~The~~
22.5.53
25/5/53

f'c

f' 3-17 of

1/9

~~2/9~~

To The Commr.
Mangalore M.
H.B.C. & C.
- Copy to D.T.P.

E3.10782/53.

Municipal Office, Mangalore, 23
Dated 23rd June, 1953.

From

Sri. L. C. Richard, M.A.,
Commissioner, Mangalore Municipality,
Mangalore.

To

The Secretary to Government,
Health Department,
Madras.

Through: THE Chairman, Municipal Council, Mangalore.

Sir,

TOWN PLANNING - Mangalore Municipality - Court Ward
T.P. Scheme - extension of time for preparation etc -

Ref: This office ref. R.Dis. 6969/52 dated 24.3.53. f 10 15
D.T.P.'s ref. 3557/A1/53 dated 2.5.53. f 10 15
Govt. Memo No. 25251-T-53-1-Health dated 25.5.53. f 10 15

35873

pp 22-23 With reference to Govt. memo cited above I submit
herewith the replies to the 3 points mentioned therein
1) Whether the notification issued under section 12 of the
Madras T.P. Act in respect of the Court Ward T.P. Scheme has
not yet been registered as required by rule 50A of the Madras
T.P. Rules.
ii) What exactly is the intention in requesting for publication
of the boundaries and survey No. of plots comprised in the
scheme while granting extension of time and
iii) Whether the boundaries and survey Nos. furnished by the
Commissioner with his letter cited are the same as those
specified in the notification issued in G.O. No. 568 Public
Health dated 1-3-1944 and if not the reasons for the discrepancy

REPLIES:

1) The notification issued under Section 12 of Madras
T.P. Act in respect of the Court Ward T.P. Scheme has not yet
been registered as required by Rules 50 A of the Madras T.P.
Rules for this scheme included certain plots which have already
been notified in the Falnir T.P. Scheme sanctioned in G.O.
1631 L.S.G. dated 25.5.37 3-5-37. The survey Nos. included
in the sanctioned Falnir T.P. Scheme Area (G.O. No. 1631 L.S.G.
dated 3-5-37) and which had been wrongly noted in the Court
ward T.P. Scheme are as follows:

24.
24

Page No.4 of the Falnir T.P. Scheme Schedule No.I
Lines 1,3,4 and 5.

The items comprising of T.S.Nos.53,55,119 and 120 have been deleted from the Court Ward T.P.Scheme and the new boundaries furnished may be on account of this discrepancy the registration was not done so far.

2. Under the Circumstances stated in item 1.it was felt necessary to get the discrepancy rectified so that the registration of scheme may be done early. The intention in requesting for publication of boundaries comprised in the scheme while granting extension of time is to exclude the plots lying in Falnir T.P.Scheme Area from the original boundaries and also make known to the public the exact area of the court ward scheme while republishing the notification under Rule 49 of Madras T.P. Rules 1933.

111) As already mentioned in items 1 and 2 the boundaries and S.Nos. furnished in R.Dis.6969/52 dated 24.3.53 are not the same as those specified in the original notification. The discrepancy might have ~~existed~~ crept up in the past years due to oversight and may please be condoned.

Forwarded

M. Madigan
Chairman, M.C.

J. J. Chand
Commissioner M.C.

copy to Director of Town Planning, Madras.

u.25.6.

Compd.
26/6

E3/10782/53.

25
Municipal Office, Mangalore
Dated 6th July, 53.

From

Sri L. C. Richard, M.A.,
Commissioner, Mangalore Municipality,
Mangalore.

To

The Secretary to Government,
Health Department, Madras.

Thro'

The Chairman, Municipal Council,
Mangalore.

Sir,

Sub: Town Planning - Mangalore Municipality - Court ward
T.P. Scheme - extension of time for preparation etc.-
information submitted.

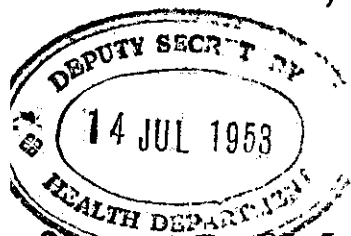
Ref: Government memo.25251/T/53-1 Health dated 25-5-53.
I Reminder dated 25-6-53. *not returned* 21

The reply to Government memo. No.25251/T/53-1 Health dated
25-5-53 has been submitted in this office ref:E3/10782/53 dated
26-3-53. I request that the Government may be pleased to issue
early orders.

L. C. Richard
Commissioner

Forwarded

Remadege 10/7
Chairman, M.C.
S/9-7. Compd. *10/7*



27/7

27 Health (T)

1/2

11/1

1191
1153

Sub: Town Planning - Mangalore Municipality -
Court Ward T.P. Scheme - Extension of
time for preparation etc

From the Commr, Mangalore Mty, R. No. 1969-
1952 dated 24-3-53

Endt. of the D.T.P. No. 3557/A1-53 dt
From the Commr, Mangalore Mty, 2-5-53
53 dated 23-6-53

Memo No 250517/53 3. 4. dt 16/7/53

The Commissioner, Mangalore Municipality is informed that the mere inclusion in the notification granting extension of time for the preparation, publication and submission of the Court Ward T.P. Scheme, of the boundaries of the areas falling under the T.P. Scheme will not be a remedy for the lapse of time specified under in rule 50-A of the M.T.P. Rules in regard to the registration of the notification under section 12 of the M.T.P. Act. The Govt consider that the scheme has therefore to be notified afresh under section 12 of the M.T.P. Act. The Commissioner is requested to state whether the M.L. Council will have any objection to the notification of the scheme afresh.

Curc the omission
to register a copy of the
notificn as required
by rule

(K)

P121



7.7.53

8/7/53

To: The Commr, Mangalore
Mty, thro' CMC
Copy to the D.T.P.
S/C

25
17/4

178-53

25
14/8

To
The Commr
Mangalore Mty
(H.O. H.E.M.C.)

Use alt-T-115

Sub: - T.P. Mangalore Mty -
Court ward T.P. Scheme -
Kalen hour of time for
Preparation etc.

- x x -

P27 of.

Ref: - Spent memo No 25251.T.153
3. H. alt 16.9.53

memo No 25251.T.153 4. H. alt
14/8/53

P27 of.

The attention of the
Commr, Mangalore Mty, is
directed to the Spent memo cited
and he is requested to state when
a reply to the matter may be
expected by the Spent.

543
17/8/53
278
178-53

25
16/8

No. E3/10782/53.

Municipal Office, Mangalore,
Dated 21-8-53.

From
Sri. L. C. Richard, M.A.,
Commissioner,
Mangalore Municipality.

To

The Secretary to Government,
Health Department,
Madras.

Thro' The Chairman, Municipal Council, Mangalore.

Sir,

Sub: Town Planning - Mangalore Municipality - court ward T.P.
Scheme - extension of time for preparation etc. - information
submitted.

Ref: This office ref: E3/10782/53 dt. 23-6-53. Pt: . . .
Government Memo. 25251/53-3-Health dt. 16-7-53.

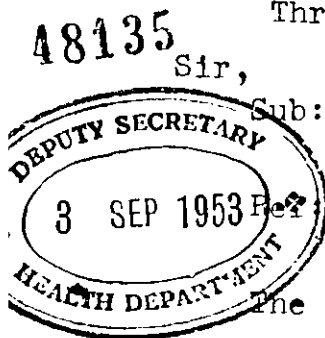
The matter is being placed before the council and final reply
will be submitted shortly.

Forwarded

Commissioner

Chairman, M.C.

S/28-8. Compd.



Richard 29/8

29/8

NR if necessary — 3/10/53
Sub
3/9/53
NRP
3-9-53
SK
493

From
Sri K.G. Menon, I.C.S.,
Director of Town Planning,
Old High Court Buildings,
1st Line Beach, M A D R A S. 1.

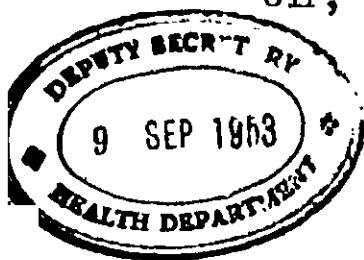
To
The Commissioner,
Mangalore Municipality,
Thro' the Chairman, Municipal
Council, Mangalore.

49354

R.C. No.6623/53-AG

Dated:- 3--9--1953

Sir,



Sub:- Town Planning - Mangalore Municipality - Court
Ward Town Planning Scheme - extension of time
for preparation etc.

Ref:- Government Memo No.25251-T/53-3-Health dated 16-7-53
--- P-7 a/c

I invite your attention to the reference cited above
and request you to submit your reply to the Government through
this office at an early date.

A. Somasundaram
8/9

FOR DIRECTOR OF TOWN PLANNING.

RT.7/9

Copy submitted to the Secretary to Government, Health Department
for information.

N.R., 1st member, 3.10.53 (vide P-31 a/c)
3/10/53
M.P.
10.9.53
H. S. 10953

E3/10782/53.

Municipal Office, Mangalore

Dated 10th Sept. 53.

From

Sri L. C. Richard, M.A.,
Commissioner,
Mangalore Municipality.

To

The Secretary to Government,
Health Department,
Madras I

Thro' The Chairman, Municipal Council, Mangalore.

Sir,

Sub: Town Planning - Mangalore Municipality - Court
ward - T.P. Scheme - variations in boundaries -
requested. 25.51

Ref: Your memo (23251)/T/53 dt. 11-7-53. p 27 ante
I reminder dt. 14-8-53. p 29 ante

The matter is placed before the council and the
resolution will be submitted by 15-9-53.

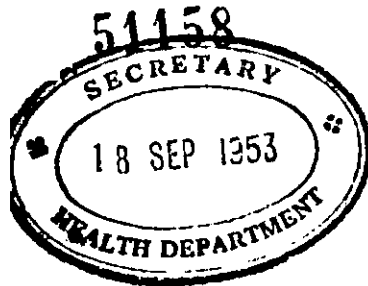
Forwarded

Chairman, M.C.

Commissioner.

Copy to Director of Town Planning, Madras I.

S/14-9. Compd.



Health To:

N.R. Ganesan

18/9/53

10/10/53

5/10/53

W.R.P.
18-9-53

S/R
21/9/53

15/9

11/
14/10

37 Health (T) 37

Sub: Town Planning - Mangalore
Municipality - Court Ward T.P. Scheme -
Extension of time for preparation etc.

Ref: Govt Memo No: 25251-T/53-3/Health
dated 16-7-53

From the Commr, Mangalore Mty, E340782-
53 dated 10-9-53

DP
13/10

Memo No: 25251-T/53-5 Health dated 13-10-53.

The Commissioner, Mangalore
Municipality is requested to expedite
the submission of his reply to
the Govt Memo cited.



To The Commr, Mangalore 13-10-53
Mty. thro' C-M-C.

She
13/10

No.E3/10782/53.

Municipal Office, Mangalore,

Dated 30-10-53.

39

From
Sri. L. C. Richard, M.A.,
Commissioner,
Mangalore Municipality.

To

The Secretary to Government,
Health Department,
Madras.

Thro' The Chairman, Municipal Council, Mangalore.

Sir,

Sub: Town Planning - Mangalore Municipality - Court Ward
Town Planning Scheme - extension of time for preparation
etc.

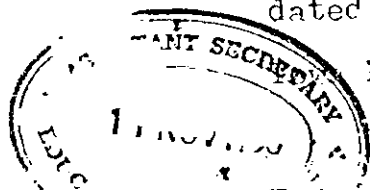
Ref: Govt. Memo. 25251/T/53-5 Health dated 12th Oct. 52.

60190

431 aut

I submit herewith a copy of my reference E3/10782/53
dated 12-9-52 submitted to Government thro' Director of
Planning, Madras.

441 aut



Forwarded

Handwritten signature
7/11

Chairman, M.C.

S/2-11. Comd

Handwritten signature
7/11

Handwritten signature

Commissioner

Handwritten signature

E3/10782/53.

Municipal Office, Mangalore,
Dated 18th Sept. 53.

From
Sri L. C. Richard, M.A.,
Commissioner, Mangalore Municipality,
Mangalore.

To
The Secretary to Government,
Health Department, Madras:

Thro'
The Director of Town Planning, Madras,
&
The Chairman, Municipal Council, Mangalore.

Sir,
Sub: Town Planning - Mangalore Municipality - Court Ward -
T.P. Scheme - extension of time for preparation.
Ref: Government memo.No.2525/T/53 dated 25-5-53.
Government memo.2525/T/53-3 Health, dt.16-7-53.

With reference to Government memo.25251-T/53-3 Health dated 16-7-53 I submit herewith a copy of resolution No.1371 dated 11-9-53. In this connection I request that the Government may be pleased to condone the slight variations to the boundaries of the scheme. As the variations are not intended to include any new area in the scheme but only to delete 4 T.S. numbers already notified in the sanctioned Palmar T.P. Scheme (G.O.No.1631 L.S.G. dated 3-5-1937). Further the scheme is in the advanced stage and proposals for fresh notification would result in the working out of the scheme from the initial stage once again. Further the land value to be calculated for the purpose of levy of betterment contribution would differ if the proposals are notified once again. In these circumstances I request that the Government may kindly grant further extension of time for the preparation, registration and publication of Court Ward Town Planning Scheme as requested for in this office reference R.Dis.6969/52 dated 24-3-53.

- F o r w a r d e d

Commissioner.

Chairman, M.C.

EXTRACT FROM THE PROCEEDINGS OF THE MANGALORE MUNICIPAL COUNCIL
DATED 11-9-53.

Read: Government memo.No.25251-3-T Health dt.16-7-53 requesting to state whether there is any objection for the renotification of the Court Ward T.P. Scheme as certain changes are made in the boundaries of the scheme and Commissioner's note suggesting that the Government may be requested to condone the slight discrepancies in the boundaries and not to renotify the scheme as the scheme is in the advanced stage

C.R.No. 1371 dated 11th September 1953
Commissioner's note is approved and the Government may be addressed accordingly.

Sd. K.S.N. Adiga
Chairman M C.

(True Copy)

Commissioner

43 HELA (H5) 43

✓

Memo no. 25251(H5)/53-6 Health, dt 16.11.53

47/17-11

Sub: - Town Planning - Mangalore Municipality - Court Land Town Planning Scheme - Extension of time for preparation.

✓ 33 cf

From. the D.T.P. Re. no 6623/53 - A.G. dated 2.9.53

✓ 39 cf

The Commr, Mangalore Municipality, has reported that he has already sent his reply to the Govt Memo. no. 25251 T/53-3 Health, dated 16-7-53 through the D.T.P. in his reference no. E3/10782/53 dated 18.9.53.

✓ 29 cf
✓ 28 cf
The D.T.P.

The D.T.P. is requested to forward the Commr's letter to the Govt, at an early date. ^{with his remarks}
Kms
14/11/53 16/11/53
16/11/53

From
Sri J. Sivanandam, I.A.S.,
Director of Town Planning,
Old High Court Buildings,
1st Line Beach, M A D R A S. 1.

To
The Secretary to Government,
Health, Education and Local
Administration Department,
Fort St. George, MADRAS.

Roc No.6623/A-1/53

Dated:- 15--1--1954

Sir,

5583

Sub:- Town Planning - Mangalore Municipality - Court Ward
Town Planning Scheme - extension of time for prepa-
ration, publication and submission of - further
report - forwarded.



Ref:- Government Memo No.2525/53-3-T-Health dated 16-7-53.
From the Commissioner, Mangalore Municipality, letter
E.3. 10782/53 dated 18-9-53 to Government.

The letter of the Commissioner, Mangalore Municipality, *above*
cited is herewith forwarded to Government.

2 The Mangalore municipal council does not desire that a fresh
notification of the Court Ward Town Planning scheme should be made
Review the and the original notification under section 12 of the Town Planning
Act made by the Government in Fort St. George Gazette dated 7-3-44
should stand in view of the fact that the preparation of the scheme
had advanced greatly and as a fresh notification under section 12
of the act ~~and~~ at this stage will affect, land values and levy of
betterment. This department agrees with this view and considers
that the making of a fresh notification now would prejudicially
affect the interests of the scheme.

3 The omission on the part of the municipal council ~~in~~ not
having registered the original notification of the scheme under
rule 50-A of the Town Planning Rules can be rectified even now,
by the republication of that notification as required under rule 49
and the subsequent registration of a copy of that notification
signed by the Commissioner within the time limit specified in rule
50-A of the rules.

4 In the matter of inclusion in the original notification
of four S.Nos already included in the Sanctioned Falnear Town
Planning Scheme, the department considers that there can be no harm
in the inclusion in a new scheme, ~~of the inclusion~~ of any portion
of an area already covered by a Sanctioned Town Planning Scheme and
as such sees no reason why, as suggested by the municipal council,
the four survey numbers comprised in the Falnear Town Planning
Scheme and notified in the Court Ward Town Planning Scheme should
now be deleted. The notification already made by the Government
need not therefore be modified and there is no need to notify
afresh a revised boundary for the scheme.

5 If the above mentioned ^{position} is deemed to be legally correct,
the Government may be pleased to inform the municipal council
accordingly and to grant ~~x~~ the further extension of time prayed
for by the municipal council for the preparation, publication and
submission to the Government of the Court Ward Town Planning Scheme.

Je. on. i. au. / ai
18/1/54

FOR DIRECTOR OF TOWN PLANNING.

RT.15/1.913
15.1.54.

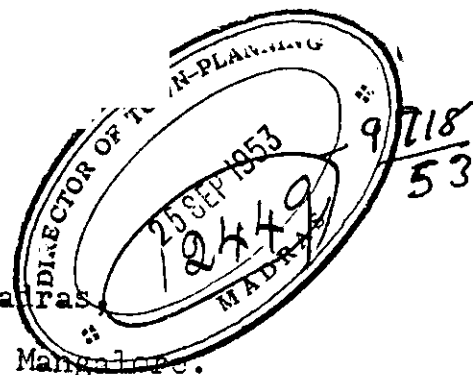
6213
3.9.53. 711-
E3/10782/53.

4467
Municipal Office, Mangalore,
Dated 18th Sept. 53.

From
Sri L. C. Richard, M.A.,
Commissioner, Mangalore Muni
Mangalore.

To
The Secretary to Government,
Health Department, Madras.

Thro'
The Director of Town Planning, Madras,
&
The Chairman, Municipal Council, Mangalore.



Sir,

Sub: Town Planning - Mangalore Municipality - Court Ward -
T.P. Scheme - extension of time for preparation.

Ref: Government memo.No.2525/T/53 dated 25-5-53.

Government memo.2525/T/53-3 Health, dt.16-7-53

h 27 aut
With reference to Government memo.25251-T/53-3 Health dated 16-7-53 I submit herewith a copy of resolution No.1371 dated 11-9-53. In this connection I request that the Government may be pleased to condone the slight variations to the boundaries of the scheme. As the variations are not intended to include any new area in the scheme but only to delete 4 T.S. numbers already notified in the sanctioned Falmir T.P. Scheme (G.O.No.1631 L.S.G. dated 3-5-1937). Further the scheme is in the advanced stage and proposals for fresh notification would result in the working out of the scheme from the initial stage once again. Further the land value to be calculated for the purpose of levy of betterment contribution would differ if the proposals are notified once again. In these circumstances I request that the Government may kindly grant further extension of time for the preparation, registration and publication of Court Ward Town Planning Scheme as requested for in this office reference R.Dis.6969/52 dated 24-3-53. bel

Forwarded

Commissioner

Chairman, M.C.

EXTRACT FROM THE PROCEEDINGS OF THE MANGALORE MUNICIPAL COUNCIL
DATED 11-9-53.

Read: Government memo.No.25251-3-T Health dt.16-7-53 requesting to state whether there is any objection for the renotification of the Court Ward T.P. Scheme as certain changes are made in the boundaries of the scheme and Commissioner's note suggesting that the Government may be requested to condone the slight discrepancies in the boundaries and not to renotify the scheme as the scheme is in the advanced stage

C.R.No. 1371 dated 11th September 1953

Commissioner's note is approved and the Government may be addressed accordingly.

Sd. K.S.N. Adiga
Chairman M.C.

(1 True Copy 1)

Commissioner

P. C. 590
9/2/54

From T.M.
The D.S.
HELA(HS)

To ~~12/6~~ HELA (HS)
The D.T.P.

agreed
K.K.N.
3/7/54

Subj: Town Planning -
Mangalore Municipality -
Court of Ward T.P. Scheme.
Extension of time.

✓ P 444
28/2

Ref: Your letter no. Roc -
6623 / A/53, dated 15.1.54

Please let me know
When Rule 50 - A of the M.T.P.
Rules Came into force.
Please also furnish a copy
of the go in which this rule

650. as prescribed.

$$\begin{array}{r} 713 \\ \hline 1-2.54 \end{array} \frac{\text{km}}{1-2.54} \quad \begin{array}{r} 4 \\ 2 \end{array} \text{ yr}$$

5d
From
Sri J. Sivanandam, I.A.S.,
Director of Town Planning,
Old High Court Buildings,
1st Line Beach, M A D R A S.

To
The Deputy Secretary to Government
Health, Education and Local
Administration Department,
Fort St. George, MADRAS.

L.Dis 1180/54-A-1

Dated:- 13--2--1954

Sir,

H5
Sub:- Town Planning - Rule 50-A - Confirmation - G.Os -
Furnished.

Ref:- Your Telephonic Message dated 3--2--1954.

Copies of G.Os 1163 dated 22-4-44 and 2444 dated 16-7-48
are furnished herewith as requested. The confirmation of rule
in G.O. No.1163 dated 22-4-44 was notified in the Government
Gazette dated 13-6-44 and as such the rule 50-A came into effect
from 13-6-44.

RT.15/2



Deviyani
FOR DIRECTOR OF TOWN PLANNING.

53

two good men

X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X

READ--the following paper:-

G.O. No. 416 P.H. dated 14th Feb. '44.

Order--No.1163, P.H., dated 22nd April 1944.

In G.O. No.416, P.H., dated 14th February 1944, the Government published for general information the draft of certain amendments to the Madras Town Planning Rules. No objections or suggestion in regard to the draft amendments have been received. The draft amendments are now confirmed.

2. The appended notification will be ~~published~~ published in the Fort St. George Gazette.

(By order of His Excellency the Governor)

CLARENCE O. COOREY,
Deputy Secretary to Government.

/ True Copy /

APPENDIX.
Notification.

In exercise of the powers conferred by sub-sections (1) and (2) of section 44 of the Madras Town Planning Act, 1920 (Madras Act VII of 1920), His Excellency the Governor of Madras is hereby pleased to make the following amendments to the Madras Town Planning Rules, 1933, published with the late Local Self-Government Department Notification No.345, dated the 28th March 1933, at pages 122 of Part 1-A of the Fort St. George Gazette, dated the 28th March 1933, as subsequently amended.

AMENDMENTS.

In the said rules--

X X X X X X X X X

(vi) after rule 50 the following rule shall be inserted, namely:-

"50-A. As soon as may be after a notification has been published under section 10 or section 12 of the Act, a copy thereof signed by the Commissioner of the Corporation of Madras or the executive authority of the municipality, as the case may be, specifying the land to which it relates and the survey number or numbers comprised therein, shall be registered under the Indian Registration Act, 1908".

X X X X X X X X X

/ True Copy /

Sub: RULES - Madras Town Planning Rules - Registration - Amendment of rule 50(a) of the rules - Confirmed.
READ: the following papers:-

From the Commissioner, Cannanore Municipality, dated the 4th May, 1948, Ref.No. B3-3650/48.
From the Director of Town Planning, dated the 28th May, 1948, No. N.Dis. 2074/48.

ORDER--No. 2444, P.H., dated 16th July, 1948.

In G.O.No. 1248, Public Health dated the 15th April, 1947, the Government published for general information and criticism the draft amendment to rule 50-A of the Madras Town Planning Rules, 1933. A suggestion has been received from the Director of Town Planning that the words and figures, "the date on which a notification under section 10 or section 12 of the Act is published in the Fort St. George Gazette" in the first sentence of the draft rule 50-A, may be substituted by the words and figures "the date of publication of a notification under section 10 on the notice board of the office of the municipal council or under section 12 in the Fort St. George Gazette, as the case may be". The Government accept the suggestion of the Director. The draft amendment as modified is now confirmed.

2. The appended notification will be published in the Fort St. George Gazette.

(By order of His Excellency the Governor)

C.O. COOREY,
Joint Secretary to Government.

Appendix Notification.

In exercise of the powers conferred by Section 44(1) and (2) of the Madras Town Planning Act, 1920 (Madras Act VII of 1920), His Excellency the Governor of Madras hereby makes the following amendment to the Madras Town Planning Rules, 1933 published with the late Local Self-Government Department Notification No. 345, dated the 28th ~~March~~ ^{March} 1933 at pages 111-112 of Part I-A of the Fort St. George Gazette, dated 28th March, 1933 as subsequently amended:-

AMENDMENT.

For Rule 50-A of the said rules, the following rule shall be substituted, namely:-

"50-A(1) Within one month from the date of publication of a notification under section 10 on the notice board of the office of the municipal council, or under section 12 in the FORT ST. GEORGE GAZETTE, as the case may be, the Commissioner of the Corporation of Madras or the Executive authority of the municipality, as the case may be, shall --

(i) sign a copy of such notification, specifying the date of his signature, the land or lands to which it relates, and the survey number or numbers comprised therein; and

(ii) present the copy so signed or cause it to be presented for registration as soon as possible after such signature, but in any case within the time limit specified in Part IV of the Indian Registration Act, 1908.

(2) In the case of any such notification published before the 16th July, 1948 which has not been registered under the said Part IV, the Commissioner, or the executive authority, shall, if necessary, sign a fresh copy of the notification within one month from the date aforesaid, and present such copy or cause it to be presented for registration within the time limit specified in Part IV aforesaid for the registration of such copy." (T.M. Govt)

E3/10782/1953.

Municipal Office, Mangalore,
Dated the 5th April 1954.

115-57
7/4

From

Sri I. C. Richard, I.A.S.,
Commissioner, Mangalore Municipality.

To

12 APR 1954

37735

HEALTH, EGN. & LOCAL ADMIN. DEPT.

Secretary to the Government of Madras,
Health, Education and Local Administration,
Madras

The Chairman, Municipal Council, Mangalore.

Sir,

Subject:- Town Planning - Mangalore
Municipality - Court ward Town Planning Scheme - extension
of time for preparation, publication and submission of scheme
to Government - requested.

Ref. 1) This office R Dis 6969/52 dated the 24th
March 53.

2) Government Memorandum No.25251.7/53-1
Health dated the 25th May 53.

3) Further ref. from this office resting
with letter No.E3/10782/53 dated the 17th Sept.53.

I request that the Government may be pleased to
grant extension of time up to 31st March 1955 for the
preparation, publication and submission of scheme to
Government. Time applied for in this office R.Dis 6969/1952
dated the 24th March 53 was up to 31st March 1954 which has since
lapsed. I request the favour of early orders.

I. C. Richard
Commissioner,
Mangalore Municipality.

Forwarded.

J. S. Nair
Chairman, M.C.

Copy submitted to the Director of Town Planning, Madras
for favour of information and necessary action.

h/7-4-54.

compd.

7-4

Sub: Town Planning Mangalore Municipality - Court of
hard T.P. Scheme - Preparation,
publication and Submission of
- Extension of time.

194 From the Commr Mangalore City,
R.O. no. 6969 - 1952 dt 24.3.53

194 From the D.T.P. Encl no. 3557/AI-53 dated

From the Commr Mangalore City,
no. E3-10782/53, dt 23.6.53
and 18.9.53

22/195 464
444 From the D.T.P. no. 6623/AI/53 dated
15.1.54

Memo. no. 25251 HS/53 - 8 dated 18.5.54

Sp (F.D.) -
18/5

4 ny

under rule 50-A
of the M.T.P. Rules,
which is
mandatory,

The D.T.P. is informed
that the notification under
Section 12 of the M.T.P. Act, 1920,
issued in respect of the
Court of hard T.P. Scheme was
published in the Fort St. George
Gazette on 7.3.44 and that
it should have been registered
~~under rule 50-A of the Town
Planning Rules~~ within one
month from the date of
publication in the Gazette.
~~Rule 50-A of the T.P. Rules is
mandatory.~~ As such
registration was not done in
this case, ~~the~~ a fresh notifica-
tion under Section 12 of
the M.T.P. Act will have to
be issued now.

2. The Director is

2
60

informed that rule 49 of the MTP Rules cannot be invoked in this case, as it relates only to a republication of the notification published by Govt. in the Fort St. George Gazette while rule 50-A requires the registration of the notification issued under section 12 and published in the Fort St. George Gazette within one month from the date of such publication. It will be devoid of meaning to republish ^{now} the notification issued in 1944 afresh as if Govt. have published the original notification only now. Rules 49 and 50-A do not warrant the procedure suggested by the DTP in his letter dated 15.1.54

para 2 on
H-452f

3 In the circumstances the DTP is requested to ^{obtain} ~~submit~~ and forward fresh proposals for the publication of the notification under section 12 of the MTP Act cancelling the previous notification issued in G.O. no. 568 P.H., dt 1.3.44.

(I)

TIB
17.5.54
MPP
17.5.54

4
18/5/54

SA
18.5.54

To
The DTP
The Commr
Mangalore Dist
Govt. of Can.

M. J. M. M. S.

P. 1

From the Commr, Mangalore Mty, R. Dis. 6969-

19.52 dt. 24-3-53

P. 2

From the D.T.P., endt. No: 3557/A1-53 dt.

2-5-53

P. 3

From the Commr, Mangalore Mty, E3-10782/53

dated 23-6-53

Sub: Town Planning - Mangalore
Municipality - Court ward T.P. scheme -
Extension of time for preparation etc.

Please see the letter on page 1 c.f.
the Memo on pp 21-22 c.f. and the reply
of the Commissioner, Mangalore Municipality
on pp 23-24 c.f.

(T) 12

K

Vid. p. 12

The notification issued in G.O.
No: 568 P.H. dated 1-3-44 should have
been registered long ago. Reference is
invited to in this connection to rule 50-A
of the Madras Town Planning Rules. More
in the notification granting extension of time for preparation of the
inclusion of the boundaries of the areas ^{in the notification} ~~of the~~ ^{scheme}
falling under the T.P. Scheme in the may
not be a remedy for the lapse of time
specified for the registration of the notification
issued under section 12 of the M.T.P. Act.
It seems that the Scheme should be
notified afresh under section 12 of the Act.
Before this is done, the M.L. Council
Mangalore may be consulted as to whether
it has any objection to the ~~notification~~ ^{notify}
of the T.P. Scheme afresh, especially
because the preparation of the Scheme is
in progress. Subject to orders a draft
memo is submitted for approval. Legal
(Opinion) may see before issue.



WRF
7-7-53

WRF
8-7-53

Legal (Opinions)

U. 252517/53.2

8/7/53

Rule 50-A of the Town Planning Rules is mandatory; ~~and~~ a copy of the notification should be registered within one month from the date of publication in the Gazette. As this was not done in this case, the scheme should be published afresh, as suggested by Health. Some alterations have been indicated in pencil on the draft to bring out the intention clearly.

Ken
13-7-52.

~~13~~ 13.7.53

D.S. Health

regal wd

$$\begin{array}{r} 11180 \overline{) 534} \\ \underline{13753} \end{array}$$


Health T.C.

Please see the note's I sent about
the Draftman below many ^{more} ~~times~~
with the slight alterations made by
long al. The modifications should be carried out

$$\frac{512}{15753} \quad \frac{512}{15.753}$$

we
T6/2/53

162.53
 512
 162.53

[Issued as Memo. no. 25251 T/53-3 p 27cl
H., dated 16.7.53]

From the Commr., Mangalore Uth. no. 464
E 3/10782/53 dt 18.9.53

from the W.T.P. no. 6623/A1/s3, dt. 15.4.73

Issued as ^{15.1.54} TM dated ^{3.2.54} 1180/54 H, d/LB 254
from the ¹²⁷⁰ no. 2 Dis. 1180/54 H, d/LB 254

Please see the notes
on pages 1-2 above, the Memo.
on p 27 cf. and the letters
of the Commr. Mangalore City,
and the D.H. at pages 44-46 cf.

The W.P. considers
that the omission on the part
of the Mangalore M. C. in
~~not~~ having ~~registered~~ ^{failed to register} the original

пара 3, Р44ср

1444

(K)

notification under Section 12 of the M.T.P. Act, 1920, under rule 50-A of the M.T.P. Rules can be rectified even now by the republication of that notification as required under rule 49 and the subsequent registration of a copy of that notification signed by the Commissioner within the time limit specified in rule 50-A. This view of the M.T.P. does not seem to be correct. As the Law Dept. have stated at page 2 ante, rule 50-A is mandatory. If the notification under Section 12 of the M.T.P. Act was not registered within one month from the date of its publication in Gazette, the scheme should be notified afresh. The correct legal position may be communicated to the M.T.P. and he may be asked to submit fresh proposals for the publication of the notification under Section 12 of the M.T.P. Act. The Law Dept. may see again

Vide 15.4.50 A. (21)
(K)

cancelling the previous notification issued in L.O No 568 P.H dt 1-3-44

pp 7-8 (I)

Heard on
25251 115753-7
14.4.54



1113
12454
12453

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16
14

14.4.54

Law/Opn

Law (Opinions) Department.

✓ Rule 50-A of the rules framed under the Madras Town Planning Act, 1920 (Madras Act VII of 1920) requires inter alia that a copy of the notification issued under section 12 in the Fort St. George Gazette shall be signed by the executive authority of the municipality and presented for registration as soon as possible after such signature and in any case within the time limit specified in part IV of the Indian Registration Act, 1908. The notification issued under section 12 relates only to the requirement that the council shall prepare, publish and submit for the sanction of the State Government a draft scheme. This notification was published in the Fort St. George Gazette on 7-3-44 and it had to be registered under rule 50-A. This is intended to give wide publicity that the lands covered by that notification will be affected by the town planning scheme and will be liable to the levy of betterment contribution under section 24. There is no scheme as yet finalised in pursuance of that notification and it will be seen from the papers put up that the Mangalore Municipal Council is still pressing for extension of time for the preparation of that scheme. Consequently it looks as if that a fresh notification itself has to be issued by the Government under section 12, a copy of which will then have to be signed and registered by the executive authority. It is just likely that the market value of the lands now will be far less than that which prevailed on 1-3-44 when the original notification was issued. However, there seems to be no way out of it.

✓ It may be pointed out that rule 49 cannot be invoked in this case as it relates only to a republication of the notification published by Government in the Fort St. George Gazette under section 12 while rule 50-A requires the registration of the notification

Tm 78-6-2 (1)

issued under section 12 and published in the Fort St. George Gazette within one month from the date of such publication. It will be devoid of meaning to republish the 1944 notification afresh as if Government had published the original notification only now. Rules 49 and 50-A do not warrant the proceedings suggested by the D.T.P.

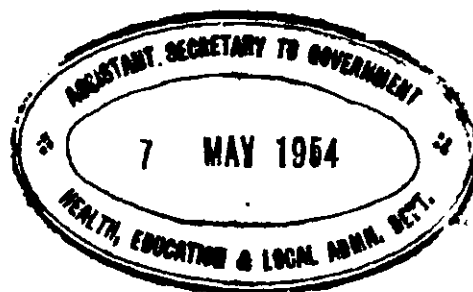
Law 406135/50-1
6.5.54

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8/5/54

1/5/54
D.S.

HELA



HELA (HS)

It draft Memo. is submitted for approval.

TMB
17.5.54
TMB
17.5.54

6
18/5/54

SAE
18.5.54